



Governor Kim Reynolds
Lt. Governor Adam Gregg
San Wong, Director

**JUVENILE JUSTICE ADVISORY COUNCIL
DISPROPORTIONATE MINORITY CONTACT SUBCOMMITTEE (DMC Sub)**

MINUTES OF REGULAR MEETING

Via GOOGLE MEET*

November 18, 2020

Present: LaTasha DeLoach, Interim Chair; Julie Clark-Albrecht; Diamond Denney; Hon. Kevin McKeever; Ivy Menke; Reuben Neff; Stephan Pearson; John Spinks; Miguel Trevino; David Tristan; Christopher Wyatt

Others: Sonia Reyes-Snyder

Staff: Steve Michael; Dave Kuker; Scott Musel; Kathy Nesteby; Jill Padgett; Kayla Powell; Jeff Regula; Julie Rinker

Introductions/Announcements

LaTasha DeLoach, Interim Chair, called the meeting to order at 10:03 a.m. Introductions were made. A quorum was present. Due to the COVID-19 pandemic and social distancing concerns, this meeting was held virtually through Google Meet.

DeLoach thanked Dave Kuker, who is retiring at the end of December, for his service to Iowa youth throughout his career.

Approval of Minutes (Vote) – August 12, 2020

Hon. Kevin McKeever moved to approve the minutes from the August 12 meeting, seconded by John Spinks. The motion was unanimously approved.

Juvenile Justice Advisory Council/CJJP

- Racial Disparities – 3 Decision Points (Vote)
- Ongoing Retreat Activities

Steve Michael provided background information on conversations within CJJP regarding the death of George Floyd and ways that staff could provide data and research regarding disparities and racial equity in Iowa and the juvenile justice system.

Michael reviewed the recommendations contained in the recently released report “Racial Disparities – An Analysis of Three Decision Points in Iowa’s Juvenile Justice System”. He noted the importance of collaboration amongst the three branches of state government. Pre-charge diversion will be a main focus to reduce disparity and recidivism. A [Toolkit](#) and [webpage](#) devoted to pre-charge diversion is available for communities that wish to establish a pre-charge diversion program.

There is also a need to identify available resources and needs for youth age 18-21 in order to extend juvenile court jurisdiction. This would require legislation to eliminate direct file and limit adult waivers for felony offenses and extend juvenile court jurisdiction. He stated that research shows this is the right thing to do.

The report has been shared with the Governor's office, legislative leadership, and State Court Administration. He was hopeful that legislation would be enacted and that policies would be implemented within Juvenile Court Services and that funding for services would be provided.

Kuker asked for approval of the recommendations, especially those related to pre-charge diversion and referrals, and detention for probation violators. This support would be shared with the Juvenile Justice Advisory Council (JJAC).

Members discussed the following:

- Judge Kevin McKeever was supportive of all the recommendations, but had concerns with the elimination of direct file for felony offenders. There is a process to reverse waive youth to juvenile court. He asked for more information on eliminating direct file.
- Musel responded that the analysis included youth waived to adult court.
- Kuker added that extensive work with national consultants has been conducted over the past 5-6 years. Research shows that these youth should start in juvenile court jurisdiction. There is a need to review the appropriateness of the juvenile justice system to treat these youth and exhaust all efforts prior to referring them to the adult court.
- Michael noted that the juvenile court was created to oversee and manage all juvenile offenders under age 18 and to provide the level of care necessary for public safety and rehabilitation.

DeLoach suggested members vote on each recommendation.

McKeever moved to support the recommendations regarding referrals of complaints to juvenile court services, seconded by John Spinks. The motion was unanimously approved.

McKeever moved to support the recommendation to eliminate the use of detention as a sanction for probation violations, seconded by Spinks. The motion was unanimously approved.

Spinks moved to support the recommendations to extend juvenile court jurisdiction for juveniles prosecuted as adults, including the elimination of direct file. The motion was seconded by Reuben Neff.

Discussion included the following:

Spinks noted struggles with repeat offenders and frustration by the court system and within the community. He asked if this weakens the process.

DeLoach responded that this gives juvenile court the opportunity to make a decision on whether or not to waive a youth to adult court. The recommendation supports working on these issues.

Michael noted that he doesn't see it as weakening the process, rather it would provide that the juvenile justice system address needs for youth under age 18. All youth under age 18 would start in juvenile court and, if there are no resources to rehabilitate, the youth could then be waived to adult court.

DeLoach added that many times juveniles who are 17.5 years old are waived to the adult system, their plea is reduced, and they don't get services needed.

Neff noted some hesitation as a result of his work as a public defender and as a prosecutor. The likelihood of a reverse waiver is less than had they remained in the juvenile court system. He also noted concerns regarding rehabilitation of sex offenders, even as juveniles.

The motion was voted upon and failed.

- Lt. Governors Racial Justice Task Force

Michael provided a brief overview on the recommendations of the Governor's FOCUS Committee on Criminal Justice Reform. These recommendations address banning racial profiling, data collection of law enforcement stops, and data analysis by CJJP. He anticipates that the recommendations will be part of the Governor's legislative agenda. The report can be found here:

https://governor.iowa.gov/sites/default/files/documents/FOCUS%20Committee%20Report%202020.pdf?utm_medium=email&utm_source=govdelivery

Iowa Task Force for Young Women (ITFYW)

Kathy Nesteby reported that the ITFYW is working to finalize goals and objectives and was committed to continuing joint efforts with this Subcommittee. The ITFYW would like to include add a goal that race and gender are included throughout all priority areas identified by the JJAC. Joint efforts would focus on services for deep end black/African American girls and that level of care.

Separately, approval has not been received for a grant application related to training and the Task Force's publication, "Healing Justice". She assumed it was not approved.

African-American/Black Young Women of Color Discussions

DeLoach reported on past discussions regarding black girls. Due to disparity and a significant lack of services, she has developed a task force to discuss interventions and make recommendations to address this group of girls in the juvenile justice system. She encouraged members to participate in this necessary and important conversation. She noted that national resources are available and CJJP staff are looking at data. Information will be shared with this group and the JJAC. The goal is to reduce or eliminate these girls from entering the adult system through the development of interventions and prevention services.

Membership

- Local Engagement
- Survey – Level of Involvement

DeLoach reminded members to complete the survey shared a few weeks ago. She would like to have a better understanding of community involvement, member engagement, and provide leadership within the state of Iowa.

Goals and Objectives – Three Year Plan (Vote)

There was consensus to table this item and hold a future meeting on December 2 (10 am – noon) to provide more time for discussion.

Local Updates

McKeever offered to invite representatives from Iowa City/Johnson County to provide information on events and potential policies on disparity and other endeavors related to implicit bias.

DeLoach encouraged Laurie Nash to be part of this group.

Next Quarterly Meeting

- February, 2020 10am-noon-Remote Meeting

DeLoach encouraged members to invite others to the next meeting. A brochure is available to share with potential members. Staff will work to identify 2021 meeting dates and share the information.

Adjourn

The meeting adjourned at 11:56 a.m.

Respectfully submitted,

Julie Rinker
Administrative Secretary
Div. of Criminal & Juvenile Justice Planning
Iowa Department of Human Rights